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## **Story County Election Security Policy**

### **Purpose**

A written voting system security policy for each county is required by the *Iowa Administrative Code* 721—22.50 (52). The policy shall include plans to protect election equipment and data from unauthorized access, document certain aspects of the election process, and describe methods to preserve the integrity of the election.

### **General**

Story County shall conduct elections in full compliance with federal and state laws. All voting equipment and associated software used in any election shall meet current legal certification standards.

Voting equipment and ballots shall be secured in rooms or cabinets with restricted access. Access to these areas is granted by the Auditor based upon job description.

All security seals used shall be numbered and tamper-evident.

All regular employees of the Auditor shall read and understand this policy. Story County personnel with access to the Auditor's office and work areas, and Auditor's office temporary workers shall read and sign the Elections Security Agreement (Appendix A). All election officials take an oath of office prior to the commencement of voting (Appendix B).

## **Voting System Security**

### **Hardware**

Election equipment is stored and locked within the Story County Administration Building. Entry to the storage area is restricted via security fob access. Individuals with this access are on file in the Story County Facilities Management department; reports of access may be run as warranted.

Election equipment is individually stored on shelves or in storage boxes for maximum protection from damage. Protective cases are used where possible. Storage recommendations by the manufacturer are followed. Each unit is insured by the Story County property insurance policy.

### **Software**

Story County shall own and operate the necessary software and accompanying equipment to locally program all elections. The software shall be loaded onto a secure, stand-alone workstation. The software and any necessary updates shall be received from a certified vendor and loaded by Auditor's office personnel. The software shall be used to prepare ballots and data files for voting equipment, and to compile and report election results. The workstation shall be reserved exclusively for the above functions and shall not be linked to the Story County network or to the Internet. Access to the workstation is limited to the Story County Auditor, Assistant Auditor, Deputy Auditors, designated election staff member(s), and licensed technicians from a qualified vendor. Access requires a unique ID and password for each user. Password content shall be at the user's discretion. All passwords and any subsequent changes to passwords shall be given to and retained by the Auditor. Authority for each user is granted by the Auditor as s/he determines necessary. Staff members with generic user IDs are restricted from signing onto the workstation.

Story County shall have an UPS power back-up for the workstation. In the event of unexpected power loss, the system can be shutdown properly to protect the integrity of the software, programming and equipment.

### **Memory Media**

Each piece of voting equipment contains a removable data device containing files programmed to define each election. Each removable data device includes a serial number printed on a visible permanent label. Story County owns the data devices, and authorized election staff members handle the programming of each data device used in an election. Two staff members are present during the programming for verification and election log maintenance. Security for the data devices includes perpetual inventory, with the inventory records containing:

- The date each device was acquired
- Each use of the data device in an election
- Each maintenance activity
- Any issues or errors detected while using the data device during its usable life
- Record, reason, and date of removal from inventory

The data devices are only programmable on the secure, stand-alone workstation. The data devices are stored in marked storage containers. The containers are secured in a locked room, keyed with Level 2 authority key access (authorized users on file with Story County Facilities Management). The data devices are removed from storage as necessary for an election, programmed, logged, and sealed into a voting device. If transport of a data device outside of the Auditor's office is necessary, the data devices are sealed in a container for transport.

The election log for data devices shall be pursuant to *Iowa Administrative Code 721—22.51 (4)*.

The election log is maintained in the Auditor's office for the duration of election documentation as required by Iowa law.

### **Unauthorized Access and/or Custody**

Any component of the voting system's hardware, software, or memory media accessed without permission or removed from the Auditor's custody without the express consent of the Auditor invalidates said component for use in any subsequent election or election-related activity. Any unauthorized person or persons accessing or removing any component of the voting system shall be liable for its replacement at its full cost plus related expenses prior to any unauthorized access or removal.

## **Ballot Security**

### **Pre-Election Day**

Absentee voting shall be handled pursuant to *Code of Iowa* Chapter 53.

### **Election Day**

Ballots shall be received by precinct chairpersons from the Auditor or Auditor's designee. Before opening the polls, precinct chairs shall verify the number of ballots received. After polls close and results have been tabulated, all ballots shall be accounted for and returned to the Auditor or Auditor's designee. Precinct chairs shall account for all ballots on the ballot record and receipt form. Ballots shall be returned in the designated marked containers and containers shall be secured with a numbered, tamper-resistant seal.

### **Post-Election Day**

Ballots shall remain sealed and secured unless accessed for post-election audit, recount or contest. Ballots shall be properly destroyed after the retention period provided for by law.

## **Election Process**

### **Equipment Readiness**

Story County shall adhere to *Iowa Administrative Code* 721—22.39 - 22.43 for publicly testing voting equipment.

### **Precinct Election Officials**

Story County shall staff precincts pursuant to *Code of Iowa* §49.12 – §49.20. In each precinct, a chairperson shall be responsible for the election equipment and ballots as received from the Auditor. The chairperson shall verify the number of ballots received, the seal number on the ballot container, and the seal number on the removable data devices secured into each piece of election equipment. This verification is signed by the designated chairperson on Election Day as the equipment and ballots are readied for use in the election. The identical verification process is used by the Auditor and/or designated staff as the equipment and ballots are returned by precinct election officials to the Auditor's Office. The verification record and receipt is maintained on file in the Auditor's Office for the duration of election documentation as required by Iowa law.

The election official chairpersons are required to work at the precincts for all hours of an election day. The Auditor shall hire the remainder of the officials as equally balanced in political affiliation and gender as possible, and may approve half-day work shifts as is compliant with Iowa law.

### **Election Results**

On each election night, results will be proclaimed, communicated, and returned to the Auditor's Office pursuant to *Code of Iowa* §50.11 and §50.14.

Results on election night are unofficial. Official results are certified by the Board of Supervisors at the canvass pursuant to *Code of Iowa* §50.24.

## **Evacuation**

If it is necessary to evacuate a polling place, the election officials shall attempt to notify the Auditor as soon as possible and have two primary objectives:

- 1) Keep people safe. The officials shall ascertain that all voters and other persons are safely out of the polling location.
- 2) Protect critical election documents and materials. After the safety of the voters and other persons has been secured, the officials shall remove or secure the following in the following priority order:
  - Ballot box containing voted ballots, and the ballot tabulating device
  - Any other voted ballots (provisional, disputed, etc.)
  - Keys to the voting equipment
  - Signed declarations of eligibility and other forms completed by voters
  - All un-voted ballots
  - Election registers, paper and electronic
  - All other equipment

## **Effective Date**

This policy shall be effective upon adoption; it replaces any and all previous versions of the Election Security Policy.

## APPENDIX A

### ELECTIONS SECURITY AGREEMENT Story County, Iowa

I, \_\_\_\_\_, swear or affirm that I will impartially and to the best of my abilities fulfill my duties as they relate to the conduct of elections in Story County. Election duties are outlined in the *Code of Iowa*, Chapters 39 through 53, and election tasks may include any or all of the following:

1. Handling, processing, transporting, and delivering ballots
2. Handling, programming, testing, and delivering voting equipment
3. Packing ballots for delivery to precincts, satellite voting locations, and health care facilities
4. Receiving equipment back from the precinct after polls have closed, and securing the equipment
5. Receiving voted ballots back from any precinct, satellite voting location or health care facility, and securing the ballots
6. Serving as voting equipment technician on Election Day to handle issues at the polls
7. Delivering election equipment memory devices to the Auditor's Office after results have been tabulated and printed at the polling locations

I further swear or affirm that I will endeavor to prevent fraud, deceit and abuse in the performance of my election duties. I have been made aware of the actions which constitute election misconduct in the first degree as defined by the *Code of Iowa* §39A.2 (full text on reverse of this document).

I am aware that election misconduct in the first degree is a Class "D" felony under Iowa law.

I further swear or affirm that I will guard all ballots, voted and unvoted, against theft or damage, I will guard all voting equipment and components against removal, theft, tampering, and damage, and I will follow the Story County Auditor's procedures and policies as it relates to securing said ballots and voting equipment.

Signed \_\_\_\_\_ Dated \_\_\_\_\_

## **§39A.2 ELECTION MISCONDUCT IN THE FIRST DEGREE.**

1. A person commits the crime of election misconduct in the first degree if the person willfully commits any of the following acts:
  - a. *Registration fraud.*
    - (1) Produces, procures, submits, or accepts a voter registration application that is known by the person to be materially false, fictitious, forged, or fraudulent.
    - (2) Falsely swears to an oath required pursuant to §48A.7A.
  - b. *Vote fraud.*
    - (1) Destroys, delivers, or handles an application for a ballot or an absentee ballot with the intent of interfering with the voter's right to vote.
    - (2) Produces, procures, submits, or accepts a ballot or an absentee ballot, or produces, procures, casts, accepts, or tabulates a ballot that is known by the person to be materially false, fictitious, forged, or fraudulent.
    - (3) Votes or attempts to vote more than once at the same election, or votes or attempts to vote at an election knowing oneself not to be qualified.
    - (4) Makes a false or untrue statement in an application for an absentee ballot or makes or signs a false certification or affidavit in connection with an absentee ballot.
    - (5) Otherwise deprives, defrauds, or attempts to deprive or defraud the citizens of this state of a fair and impartially conducted election process.
  - c. *Duress.* Intimidates, threatens, or coerces, or attempts to intimidate, threaten, or coerce, a person to do or to refrain from doing any of the following:
    - (1) To register to vote, to vote, or to attempt to register to vote.
    - (2) To urge or aid a person to register to vote, to vote, or to attempt to register to vote.
    - (3) To sign a petition nominating a candidate for public office or a petition requesting an election for which a petition may legally be submitted.
    - (4) To exercise a right under chapters 39 through 53.
  - d. *Bribery.*
    - (1) Pays, offers to pay, or causes to be paid money or any other thing of value to a person to influence the person's vote.
    - (2) Pays, offers to pay, or causes to be paid money or any other thing of value to an election official conditioned on some act done or omitted to be done contrary to the person's official duty in relation to an election.
    - (3) Receives money or any other thing of value knowing that it was given in violation of subparagraph (1) or (2).
  - e. *Conspiracy.* Conspires with or acts as an accessory with another to commit an act in violation of paragraphs "a" through "d".
  - f. *Voting equipment tampering.* Intentionally alters or damages any computer software or any physical part of voting equipment, automatic tabulating equipment, or any other part of a voting system.
  - g. *Failure to perform duties.* As an election official, fails to perform duties prescribed by chapters 39 through 53, except for section 48A.41, or fails to follow or implement guidance issued pursuant to section 47.1, or performs those duties and responsibilities in such a way as to hinder or disregard the object of the law.
2. Election misconduct in the first degree is a class "D" felony.

<p>A class "D" felony is punishable by up to five years' imprisonment and a fine of \$1,025 to \$10,245. (Code of Iowa §902.9.)</p>
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## APPENDIX B

### **§49.75 Oath.**

Before opening the polls, each of the board members shall take the following oath:

*I, \_\_\_\_\_, do solemnly swear or affirm that I will impartially, and to the best of my knowledge and ability, perform the duties of precinct election official of this election, and will studiously endeavor to prevent fraud, deceit, and abuse in conducting the election.*

*I understand that as a precinct election official, I have access to certain information that is considered confidential and is protected under Code chapters 22, 39A, 48A, and 715C. Due to this protected status, I agree to only release this information in accordance with Iowa law.*

*Additionally, I understand that the prohibition on sharing confidential information extends before and after the hours that my assigned polling place is open.*